IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

Bail Appl..No. 1950 of 2007()

CRIME NO.15/2007 OF CONTONMENT POLICE STATION

: PETITIONER/ACCUSED

M.T.JOSEPH, JUNIOR ACCOUNTANT,
DISTRICT TREASURY OFFICE, THIRUVANANTHAPURAM.

BY ADV. SRI.A.RAJASIMHAN

RESPONDENTS: COMPLAINANT

SUB INSPECTOR OF POLICE,
CANTONMENT POLICE STATION, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1950/2007

Dated this 30th day of March, 2007

O R D E R

The petitioner, who is the accused in Crime No.15/2007 of Cantonment Police Station, Thiruvananthapuram, for offences punishable under Sections 381, 468, 471 and 420 IPC, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 25.1.2007, the petitioner had committed theft of a cheque book and forged the signature of a pensioner in the cheque leaf and tried to encash a sum of Rs.3,500/-. The learned Public Prosecutor, on instructions, further submitted that the petitioner has also committed similar offence totaling to a sum of Rs.58,500/-.

4. It is too early to accept the petitioner's contention that he is falsely implicated in the case. Nevertheless, his contention that three other members of the staff by name Christina, Reghu and Vijayakumar, who also had a role in dealing with the cheque and who were suspended but were subsequently reinstated and transferred to some other station

with a view to make the petitioner a scapegoat is also worth consideration of the investigating agency.

5. Even though anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate having jurisdiction.

6. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 4.4.2007 and 9.4.2007 for the purpose of interrogation. The petitioner shall, thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs